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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,231	03/25/2004	Mary Jo. A. Toomey	7056 US (1)	9460

55748 7590 09/26/2007  
TYCO HEALTHCARE GROUP LP  
15 HAMPSHIRE STREET  
MANSFIELD, MA 02048

EXAMINER

CHAPMAN, GINGER T

ART UNIT	PAPER NUMBER
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3761

MAIL DATE	DELIVERY MODE
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09/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	Application No.	Applicant(s)	
	10/810,231	TOOMEY ET AL.	
	Examiner	Art Unit	
	Ginger T. Chapman	3761	

All participants (applicant, applicant's representative, PTO personnel):

(1) Ginger T. Chapman. (3) \_\_\_\_\_.

(2) Joseph Schmidt. (4) \_\_\_\_\_.

Date of Interview: 18 September 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1 and 42-45.

Identification of prior art discussed: Gossman (US 5,342,328); Szeles (EP 1,295,561).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

**TATYANA ZALUKAEVA**  
SUPERVISORY PRIMARY EXAMINER



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: During a telephone call from Applicants' Representative, features of the prior art were discussed. In particular, it was noted that the instant connectors provide a different mode of operation than the prior art (Grossman) poppet valve, i.e. in addition to establishing fluid communication between the mating portions the configuration of the connectors also facilitate adaptability of the housing to pre-existing holders thus adding versatility as disclosed at p. 10 of the instant specification, while the prior art poppet valve provides only fluid communication. With regard to the base, it was noted that the combination of the instant base and connectors conveniently allow the holder and evacuated tube to be supported on a flat surface in use conditions, as disclosed in the instant Spec. at p. 16, while the prior art base supports neither a holder or tube on a flat surface but rather must be hand held in use conditions. With regard to the needle cannula it was noted that: (I) it's location on the second mating portion provides both gravity flow and vacuum force to draw fluid into the tube while Szeles relies solely on vacuum force to provide fluid flow; and (II) Grossman lacks a needle cannula on either mating portion unless a hand-held syringe is substituted for the second mating portion, thus the prior art syringe/needle cannula requires increased hand manipulation thus differs in operation from the instant second mating portion operation of which reduces hand manipulation thereby reducing exposure of the practitioner to needle sticks and blood/body fluids as detailed at Spec. p. 10. Applicants arguments were well received however it was noted that any amendments to the claims must be formally submitted in writing and would require further consideration and updated searches.